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From: "Morning Energy" <morningenergy@politico.com>
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Subject: POLITICO's Morning Energy, powered by America's Natural Gas Alliance: Dems look to act on climate change - Republican ENR staff director leaving committee - Markey gets Sherrod Brown campaign manager for Senate run - BP looks to cut spill exposure
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By Alex Guillén

With help from Darren Goode, Darius Dixon and Talia Buford

DEMS ON CLIMATE CHANGE: CARPE DIEM: Senate Democrats are trying to rock climate change like it's 2010 again. It's been nearly three years since the death of bipartisan talks in the upper chamber that aimed to install a cap-and-trade system or similar program. Democrats say the wind at their backs is the attention stirred up by Hurricane Sandy and last year's temperatures - the hottest on record in the continental U.S. But they are going to need a new way to talk to Republicans about the problem. Darren Goode has the story for Pros: <http://politico.pro/RRsnyy>

HAPPY MONDAY and welcome to Morning Energy, where our readers are demanding more "Downton Abbey" references. So here comes one of ME's Patented, Always Correct Spoilers: Daisy makes billions but loses her friends when she invents a popular social network. Send your energy news to aguillen@politico.com, and follow on Twitter @alexsguillen, @POLITICOPro and @Morning_Energy.

ENR GOP STAFF DIRECTOR LEAVING: McKie Campbell, staff director for Senate Energy and Natural Resources Committee ranking member Lisa Murkowski, is leaving the panel in two weeks. He'll be replaced by Minority Chief Counsel Karen Billups. Patrick McCormick, special counsel for Murkowski on the panel, will take over as her chief counsel.

MARKEY NABS SHERROD BROWN'S CAMPAIGN MANAGER: Ed Markey has picked up Sarah Benzing as campaign manager for his Senate run. Benzing handled Kristen Gillibrand's 2011 Senate campaign and just got Democrat Sherrod Brown reelected in Ohio amid one of the more expensive and cut-throat races of 2012. "Her proven track record managing grassroots campaigns shows she has the leadership, know-how and passion to lead this campaign to victory," Markey said. Markey also picked up Colleen Coffey and Michael Pratt from Elizabeth Warren's finance team, which raised \$42 million. Boston Globe: <http://b.globe.com/TRNbnpn>

BP LOOKS TO CUT SPILL EXPOSURE: BP is asking a federal judge to rule that the 800,000 barrels of oil collected from the damaged Macondo well during the 2010 Gulf of Mexico spill not count when the company civil Clean Water Act fines are calculated. The government says the well released 4.9 million barrels of oil, or 206 million gallons, and BP says the figure was smaller than that - though it hasn't released its own estimate. If there's a finding of gross negligence, the 4.9 million barrels could cost the company \$21 billion; subtracting the 800,000 barrels could lower that by up to \$3.4 billion. Fuel Fix: <http://bit.ly/UFTkqN>

ENCANA CHIEF STEPS DOWN: Encana President and CEO Randall Eresman retired Friday after 35 years with the oil and gas firm at the center of EPA's controversial study on potential effects of fracking in Pavillion, Wyo. "After a highly successful 2012, Encana is once again financially and operationally very strong, and well-positioned to execute on its plans to rapidly transition to a more balanced commodity portfolio," said Eresman, who will stay on as an adviser through Feb. 28. "Now is the right time for me to step down and to turn over leadership of Encana to someone with the focus, drive and commitment to complete the transition." Clayton H. Woitas, a director of Encana and president and CEO of Range Royalty Management Ltd., will serve as interim president and CEO.

**** A message from America's Natural Gas Alliance:** Apache Corporation is an innovator when it comes to natural gas development. This month, they will be the first company to power an entire fracturing job with cleaner burning natural gas. Learn more: <http://bit.ly/WKGQJK> **

VERMONT YANKEE DISPUTE IN COURT TODAY: Entergy Corp. and the state of Vermont will duke it out in court again today in the company's lawsuit against the state for trying to shut down the Vermont Yankee nuclear plant. Vermont Gov. Peter Shumlin and others in the state have long sought to shut down the Vermont Yankee plant, but the state lost the first round of the legal fight a year ago when District Judge J. Garvan Murtha ruled the state lacked the authority to close the plant. Oral arguments, 15 minutes per side, are scheduled for 10 a.m. at the Thurgood Marshall Courthouse in New York City.

SCOTUS TAKES UP L.A. CLEAN TRUCKS CHALLENGE: From The Los Angeles Times: "The Supreme Court agreed to hear the trucking industry's challenge to the Clean Truck Program at the Port of Los Angeles in a case testing whether cities and states have any authority to limit pollution from trucks that help move long-haul cargo. The industry is fighting regulations that Los Angeles adopted five years ago to reduce air pollution for trucks that move in and out of the nation's busiest port." <http://lat.ms/WEACe5>

RECORD LOBBYING SPENDING AT AFPM, OCCIDENTAL: The economy may still be recovering, but a couple of companies are reporting their highest-spending quarters on lobbying in new disclosure reports. Trade group American Fuel and Petrochemical Manufacturers reported spending \$1,693,921 in the fourth quarter of 2012, the highest amount since the third quarter of 2010 (\$1.3 million). Meanwhile, Occidental Petroleum reported spending \$1,877,243 last quarter, the highest since the company reported spending \$8.9 million in the entire second half of 2006.

They've got issues: AFPM reported on issues including Keystone XL, E15, cybersecurity, PM2.5 and RIN fraud. Occidental's lobbying issues include carbon capture and storage, fracking regulations, the utility MACT, TSCA reform, the Cross-State Air Pollution Rule and the Columbian free trade agreement.

DOE MUST FINISH NEW WASTE FEE ASSESSMENT THIS WEEK: The Energy Department has until Friday to complete a new assessment of the nuclear waste fee certain utilities - and, therefore, their customers - pay to establish a final resting place for the radioactive waste material. Last June, the U.S. Court of Appeals for the D.C. Circuit said DOE 'failed to perform a valid evaluation' of the fee when it opted to not make any changes to the figure even though the Yucca Mountain project had been terminated. A few weeks later, the court gave the agency six months to issue a new calculation. (If you need a refresher: <http://politico.pro/LTgF1C>)

O'MALLEY PLANS TO MOVE ON OFFSHORE WIND, AGAIN: From the Baltimore Sun: "After being thwarted the past two years by skittish lawmakers, Gov. Martin O'Malley is preparing once again to introduce a bill aimed at planting mammoth wind turbines off Ocean City - and the measure may finally pass, thanks to a shake-up in a committee that stifled it last year. Whether turbines ever get built off Maryland's coast remains to be seen, though. The wind industry faces significant financial hurdles in its attempts to build the first offshore electricity generator anywhere in the United States." The Sun: <http://bsun.md/V08ula>

QUICK HITS

- Fisker is shopping for partners in Asia, and China particularly, following a tough year in which the company hasn't built any new cars in six months, Reuters writes: <http://reut.rs/VuyEAU>

- Sen. Lisa Murkowski will visit Japan to talk nuclear power and LNG exports. The Hill: <http://bit.ly/10sP2WT>

- Los Angeles Department of Water and Power is launching a feed-in tariff program to buy excess solar energy from its customers. The Los Angeles Times: <http://lat.ms/ZRzDxV>

- FERC is appealing a court ruling blocking the agency's access to unredacted emails from JP Morgan in an ongoing inquiry regarding market manipulation. Bloomberg: <http://bloom.bg/10mMYiZ>

- The energy industry is awaiting a U.S. Fish and Wildlife ruling on whether the lesser prairie chicken is endangered. Texas Tribune: <http://nyti.ms/WBsqlB>

- BrightSource Energy is putting a hold on its proposed 500-megawatt Rio Mesa solar project in favor of focusing on a project it bought from Solar Trust of America last year. Desert Sun: <http://mydesert.co/XwfhpF>

THAT'S ALL FOR ME. Have a great week.

** A message from America's Natural Gas Alliance: We believe in a clean energy future. Natural gas is a cleaner energy choice and a key partner to solar and wind technologies. From California to Florida, natural gas facilities are working with renewable energy to ensure steady, affordable and cleaner energy choices for communities across our nation. Because it is an abundant and affordable energy source available right here in America, natural gas can help make the promise of cleaner energy a reality in more American communities. Natural gas is smarter power today. Visit anga.us to learn more. **

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